

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
11/28/2000

11/21/2000

CLERK OF THE COURT
FORM R109B

HON. JONATHAN H. SCHWARTZ

Y. Cheney
Deputy

CR 2000-011742

FILED: _____

STATE OF ARIZONA

BARRETT SCOTT WOLFRAM

v.

NEDKA PETROVOVA
DOB: 11/8/74

REBECCA S POTTER

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CCC
MCSO-DIS
RFR
USINS VIA CERTIFICATION DESK-
CCC
VICTIM WITNESS DIV-CA-CCC

SUSPENSION OF SENTENCE - PROBATION GRANTED

9:50 a.m. State is represented by above-named counsel.
Defendant is present in custody and represented by above-named
counsel.

Court Reporter, Leslie Hicks, is present.

The victim, Milton M. West, makes statements to the Court.

The Defendant is advised of the charge, the determination
of guilt and is given the opportunity to speak.

THE COURT FINDS that the Victim Acts Right has been
complied with.

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Pursuant to A.R.S. Section 13-607,

THE COURT FINDS AS FOLLOWS:

Having found no legal cause to delay rendition of judgment and pronouncement of sentence, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT of the Court that the Defendant is guilty of the crimes of:

OFFENSE: Count 1: Aggravated Driving Under the Influence of Intoxicating Liquor or Drugs, a class 4 felony, nondangerous and nonrepetitive offense in violation of A.R.S. Sections 28-1381(A)(1), 1383(A)(1), 1383(J)(K), 1444, 1461, 3001, 3304, 3305, 3315, 13-701, 702, 702.01, and 801 committed on 7/15/00.

Upon consideration of the offense, the facts, law and circumstances involved in this case, the Court finds that the Defendant is eligible for probation. The specific reasons for the granting of probation are stated by the Court on the record.

As punishment for this crime(s),

IT IS ORDERED suspending imposition of sentence and placing the Defendant on probation as to Count(s) 1 for a period of 4 years commencing 11/21/00 under the supervision of the Adult Probation Department of this Court, in accordance with the formal Judgment and Order suspending sentence and Order imposing terms of probation signed by the Court.

As a condition of probation,

THE COURT FURTHER FINDS that the term of probation should include imprisonment in the custody of the Arizona Department of Corrections as a term of probation.

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IT IS ORDERED that the Defendant be committed to the Arizona Department of Corrections for a term of imprisonment for a period of 5 months commencing 11/21/00 with credit for 48 days previously served.

IT IS ORDERED that the Defendant pay a monthly probation service fee to the Clerk of the Superior Court of Maricopa County at a rate of \$40 commencing on 5/1/01 and due on the same day of each month thereafter during the term of probation.

RESTITUTION: The Court reserves the issue of restitution and requires the prosecutor to file no later than 5/21/01 a written request for a restitution hearing if the victim presents documentation.

IT IS ORDERED that the Defendant pay an assessment (time payment fee) in the amount of \$20 to the Clerk of the Superior Court of Maricopa County as follows:

Pursuant to A.R.S. Section 12-116, Defendant shall pay a fee of \$20.00 to the Clerk of the Superior Court of Maricopa County. Should Defendant pay all penalties, fines and/or sanctions in full this date, said fee is not applicable.

Defendant shall pay \$250.00 to the DUI Abatement Fund.

Payment is to be made in regular monthly payments of \$30 commencing 5/1/01 and on the same day of each month thereafter until paid in full.

Special Terms: Defendant shall successfully complete inpatient or outpatient substance abuse treatment and Victim Impact Panel as directed by the probation department.

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IT IS ORDERED granting the Motion to Dismiss Counts 2, 3, and 4.

The written terms and conditions of probation are handed to the Defendant for explanation, acceptance and signature. The Defendant agrees to the stated waiver of extradition. The Defendant is advised concerning the consequences of failure to abide the conditions of probation.

The Defendant is advised concerning rights of review after conviction and written notice of those rights is provided.

IT IS ORDERED authorizing the Sheriff of Maricopa County to transport the Defendant to the Arizona Department of Corrections and authorizing the Department of Corrections to carry out the condition of imprisonment on probation.

ISSUED: Order of Confinement.

IT IS FURTHER ORDERED that the Clerk of the Superior Court remit to the Department of Corrections a copy of this order together with all presentence reports, probation violation reports, medical and psychological reports which are not sealed relating to the Defendant and involving this cause.

FILED: Conditions of Probation and Notice of Rights of Review after Conviction.

IT IS ORDERED directing the Clerk of the Superior Court to transmit a certified copy of this minute order of conviction and sentencing, including the entry of judgment of guilt, as to all

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charges and sentence(s) imposed, together with a copy of the original charging document, to wit: the complaint, information and/or indictment relating to the offense(s) of conviction, to the regional office of the United States Immigration and Naturalization Service.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit said documents to the United States Immigration and Naturalization Service within thirty (30) days of sentencing. The cost of transmittal shall be borne by Maricopa County.

cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

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Let the record reflect that the Defendant's thumbprint is permanently affixed to this sentencing order in open court.

10:15 a.m. Matter concludes.

/s/ HON. JONATHAN H. SCHWARTZ
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)

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LATER:

After sentencing the Court's staff informed the Court that the Defendant threw on the floor her copy of the Terms and Conditions of Probation and her copy of the Notice of Rights of Review.

IT IS ORDERED forwarding under separate cover Defendant's copies of these documents to Donna Cross, Probation Officer, to be transferred to the supervising probation officer when that officer is selected. The supervising officer will hand the forms to the Defendant.

CC: Donna Cross, Probation Officer